

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL NO. 3:07-cv-00307-FDW**

MARRINER IMPORT EXPORT, INC.,)	
)	
)	
Plaintiff,)	
)	ORDER
vs.)	
)	
PRECISION COMB WORKS, INC.,)	
)	
Defendant.)	
)	

THIS MATTER is before the Court *sua sponte* concerning the status of Plaintiff's case and Plaintiff's failure to prosecute its claim.

On August 2, 2007, Plaintiff filed its complaint against Defendant Precision Comb Works, Inc.. A Summons was issued on August 2, 2007 (Doc. No. 4). Plaintiff has not provided proof of service of the complaint and summons on Defendant, and the deadline for doing so has long since expired. Furthermore, Defendant has not waived service or otherwise made any appearance in this matter.

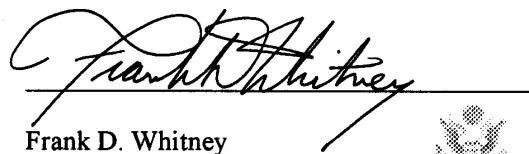
Other than filing the original Complaint, Plaintiff has taken no further action in prosecution of its claims against Defendant. Within ten (10) calendar days from the date of this Order, Plaintiff is instructed to SHOW CAUSE why this action should not be dismissed. If Plaintiff fails to respond within ten (10) calendar days, this Court will dismiss this action for Plaintiff's failure to prosecute.

IT IS, THEREFORE, ORDERED THAT, on or before March 7, 2008, Plaintiff shall SHOW CAUSE why this action should not be DISMISSED pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute this action. Plaintiff is warned that failure to make a timely

response to this Order to Show Cause will result in DISMISSAL of this lawsuit.

IT IS SO ORDERED.

Signed: February 26, 2008



Frank D. Whitney
United States District Judge

